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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,173	01/24/2005	Koji Inoue	XA-10268	3572
181	7590	10/17/2006	EXAMINER	
MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833			GOODEN JR, BARRY J	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/522,173	INOUE, KOJI	
	Examiner	Art Unit	
	Barry J. Gooden Jr.	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 July 2006 (Amendment).
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4,6,7 and 9-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4,6,7,9-13,16-20 and 26-30 is/are rejected.
- 7) Claim(s) 14,15 and 21-25 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

1. This office action is in response to the amendment filed 7/31/2006. Currently claims 1-4, 6, 7, and 9-30 are pending; claims 5 and 8 are canceled; claims 1-3 and 6 are amended; and claims 9-30 are new.

Claim Objections

2. Claims 17 and 26 is objected to because of the following informalities:

At line 2, of claim 17 and 26, "wherein a further said reinforcement portion is formed" should be replaced with "wherein said reinforcement portion is also formed".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6, 7, 9-13, 16-20, and 26-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Application, No. 10-7003.

A steering column apparatus comprising:

a vehicle body-side bracket (6) mounted to a vehicle body member (See figure 8) to have a pair of side plate portions (7) opposed each other to be extended in a vertical direction;

a steering column for supporting a steering shaft to be rotatable therein, the steering column being formed with a distance unit and having a pair of side portions disposed to be clamped between the side plate portions of the body-side bracket to fix a position of the steering column; and,

an adjusting mechanism (12) operable to clamp and release the side portion of the distance unit with respect to the side plate portions (7) of the body-side bracket (6) to permit adjustment of the steering column position (See figure 8);

wherein the steering column (3) is formed with a reinforcement portion (21) for enhancing clamping rigidity of the distance unit (29) with respect to the side plate portions (7);

wherein the reinforcement portion (21) is formed so as to couple the side portions of the distance unit together in at least one of an upper part and a lower part of the side portions (See figure 2);

wherein the reinforcement portion (21) includes at least one convex streak or concave streak (See figure 2); and

wherein the steering column (3) is adjustable at least in one of a tilting direction or a telescopic direction with respect to the body-side bracket (6) (See figure 8).

In regards to claims 10-13, 16-20, and 26-30, Japanese Patent Application, No. 10-7003, discloses all of the claimed elements including a steering column apparatus comprising:

a vehicle body-side bracket (6) mounted to a vehicle body member (See Figure 8) and having a pair of side plate portions (7) opposed each other;

a steering column (3) having an expanded portion with a pair of side portions disposed to be clamped between the side plate portions (7) of the body-side bracket (6) to fix a position of the steering column (3); and,

an adjusting mechanism (12) operable to clamp and release the side portions of the expanded portion with respect to the side plate portions (7) of the body-side bracket (6) to permit adjustment of the steering column (3) position;

wherein an upper wall portion of the steering column (3) between the side portions of the expanded portion is formed with a reinforcement portion (21) which enhances a clamping rigidity of the expanded portion with respect to the side plate portions of the body side bracket;

wherein the reinforcement portion (21) includes a convex or concave formation on the upper wall portion;

wherein the reinforcement portion (21) extends along a plane transverse to an axis of the steering column (Reference is made to Figure 1);

wherein the reinforcement portion (21) includes a convex or concave band (Reference is made to Figure 2);

wherein the reinforcement portion (21) includes a plurality of the bands (Reference is made to Figure 2);

wherein the reinforcement portion (21) is also formed on a bottom wall of the expanded portion (Reference is made to Figures 4-7);

wherein the steering column (3) is adjustable at least in one of a tilting direction or a telescopic direction with respect to the body-side bracket (6);

wherein the upper wall portion of the steering column (3) has an arch-shaped cross-section (Reference is made to Figure 3);

wherein said reinforcement portion (21) is also formed on a bottom wall of the expanded portion (Reference is made to Figures 4-7);

wherein the cross-section of the upper wall is arcuate (Reference is made to Figure 3).

In regards to claims pertaining to the method of forming the device (i.e. hydroforming), examiner maintains the method of forming the device is not germane to the issue of patentability of the device itself, as such the "expanded by hydroforming plastic work" is not being given patentable weight.

Allowable Subject Matter

5. Claims 14, 15 and 21-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Examiner maintains the previous rejection was proper and the use of the secondary reference was merely to illustrate hydroforming is old and well known. The basis of the rejection, "the method of

forming the device is not germane to the issue of patentability", is maintained and therefore it is proper to maintain the rejection and make this action final

Conclusion

6. Examiner notes, although the amendments were provided within the correct file, the application numbers provided with the correspondence are incorrect and should be corrected in future correspondence.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

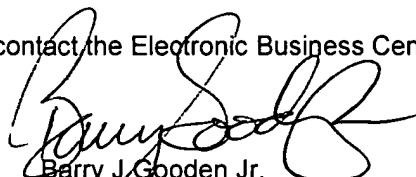
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 10/12/06
Barry J. Gooden Jr.
Examiner
Art Unit 3616

BJG


ERIC CULBRETH
PRIMARY EXAMINER